

MEMO ENDORSED

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May 13, 2020

VIA ECF

Hon. Valerie E. Caproni
United States District Court Judge
United States District Court
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square, Room 443
New York, New York 10007

Hon. Sarah L. Cave
United States Magistrate Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 702
New York, NY 10007

Re: *Valentine Reid v. Kataoka U.S. LTD.*
Case No. 19-cv-7649 (VEC)(SLC)

Dear Judge Caproni and Magistrate Judge Cave:

We are the attorneys for Kataoka U.S. LTD, the defendant in the above-referenced action and write with the consent of plaintiff's counsel. This matter was referred for a settlement conference before Magistrate Sarah Cave. The settlement conference is currently scheduled for May 28, 2020 at 2:00 p.m.; an Initial Pre-Trial Conference (the "IPTC") is currently scheduled for May 29, 2020 at 10:00 a.m. Defendant's time to move against or answer the Complaint has been continued through the date of the IPTC (the parties were hopeful that the settlement conference would yield a resolution obviating the need for the defendant to respond to the complaint).

Unfortunately, the ongoing health crisis caused by the COVID-19 pandemic, and the tumultuous economic effects it is causing to virtually all businesses open to the public, including our client's SOHO store, makes for poor timing to attempt to settle this matter. Moreover, the representative of our client that operates the SOHO store remains in Japan and he is unable to return to the states for the indefinite future.

Under these circumstances, it is respectfully requested that the settlement conference and IPTC be adjourned, *sine die*, and that defendant's time to move against or answer the Complaint be continued to be stayed until after the date of the IPTC or the filing of a Stipulation of Dismissal, whichever is earlier.

Respectfully submitted,
Barry G. Margolis
 Barry G. Margolis

cc: All counsel via ECF

Application GRANTED in part. The initial pretrial conference scheduled for May 29, 2020 is adjourned to **September 25, 2020 at 10:00 a.m.** The parties are encouraged to continue settlement discussions.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

5/14/2020